

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 93-314-C - ORDER NO. 93-1134✓C
DECEMBER 21, 1993

IN RE: Application of Tele-Trend Communications,) ORDER
 Inc. for a Certificate of Public Convenience) APPROVING
 and Necessity to Provide Resold) CERTIFICATE
 Telecommunications Services Within the)
 State of South Carolina.)

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of the Application of Tele-Trend Communications, Inc. (Tele-Trend or the Company) requesting a Certificate of Public Convenience and Necessity authorizing it to provide resold telecommunications services in the State of South Carolina. Tele-Trend's Application was filed pursuant to S.C. Code Ann. §58-9-280 (Supp. 1992) and the Regulations of the Public Service Commission of South Carolina.

The Commission's Executive Director instructed Tele-Trend to publish a prepared Notice of Filing, one time, in newspapers of general circulation in the affected areas. The purpose of the Notice of Filing was to inform interested parties of Tele-Trend's Application and of the manner and time in which to file the appropriate pleadings for participation in the proceeding. Tele-Trend complied with this instruction and provided the Commission with proof of publication of the Notice of Filing. A Petition to Intervene was filed by Southern Bell Telephone and

Telegraph Company (Southern Bell). Southern Bell subsequently filed a Motion to Withdraw from this proceeding, and Southern Bell was allowed to withdraw its intervention in Order No. 93-881, dated September 20, 1993. In addition, the Consumer Advocate for the State of South Carolina (the Consumer Advocate) intervened in the proceeding. Based upon certain assurances of the Company and upon Tele-Trend providing service consistent with prior Commission orders, the Consumer Advocate informed the Commission it would not participate in the hearing.¹ The Commission grants the Consumer Advocate's request to withdraw.

Gerald D. Fick, Vice President of Operations of the Company submitted verified testimony and an affidavit on behalf of the Company. Mr. Fick explained the Company's request for authority to provide direct dial long distance service using the resold transmission services of certificated carriers in South Carolina. He stated that the Company planned to utilize the long distance facilities of Wiltel, Inc. Mr. Fick stated that the Company plans to offer its services to small to medium-sized business and some residential customers throughout the state. Mr. Fick also explained the Company's financial resources and stated that he believes the Company has sufficient resources to provide its services in South Carolina. Mr. Fick testified that the Company has not provided and has no plans to provide 900 services.

1. By letter dated December 2, 1993, Tele-Trend asserted it would amend its tariff so that "holidays" would be precisely those used by AT&T. It also stated that the bad check charge would be a one-time fee of \$20.

Mr. Fick further submitted that the Company will provide an additional choice for consumers by expanding the field for long distance providers in South Carolina. Mr. Fick submits that the increased level of competition in the market would benefit the consumers by reduced prices and improved service quality. Additionally, Mr. Fick offers that the increased competition would provide consumers with a wider selection of products and services from which to choose.

After full consideration of the applicable law, the Application, and testimony and affidavit presented by the Company, the Commission hereby issues its findings of fact and conclusions of law:

FINDINGS OF FACT

1. Tele-Trend is incorporated under the laws of the State of Colorado, and is licensed to do business as a foreign corporation in the State of South Carolina by the Secretary of State.

2. Tele-Trend operates as a non-facilities based reseller of interexchange services and wishes to do so in South Carolina.

3. Tele-Trend has the experience, capability, and financial resources to provide the services as described in its Application.

CONCLUSIONS OF LAW

1. Based on the above findings of fact, the Commission determines that a Certificate of Public Convenience and Necessity should be granted to Tele-Trend to provide intrastate service through the resale of intrastate Wide Area Telecommunications

Services (WATS), Message Telecommunications Services (MTS), Foreign Exchange Service, Private Line Service, or any other services authorized for resale by tariffs of carriers approved by the Commission.

2. The Commission adopts a rate design for Tele-Trend for its resale services which includes only maximum rate levels for each tariff charge. A rate structure incorporating maximum rate levels with the flexibility for adjustment below the maximum rate levels has been previously adopted by the Commission. In Re: Application of GTE Sprint Communications Corporation, etc., Order No. 84-622, issued in Docket No. 84-10-C (August 2, 1984). The Commission adopts Tele-Trend's proposed maximum rate tariffs.

3. Tele-Trend shall not adjust its rates below the approved maximum level without notice to the Commission and to the public. Tele-Trend shall file its proposed rate changes, publish its notice of such changes, and file affidavits of publication with the Commission two weeks prior to the effective date of the changes. However, the public notice requirement is waived, and therefore not required, for reductions below the maximum cap in instances which do not affect the general body of subscribers or do not constitute a general rate reduction. In Re: Application of GTE Sprint Communications, etc., Order No. 93-638, issued in Docket No. 84-10-C (July 16, 1993). Any proposed increase in the maximum rate level reflected in the tariff which would be applicable to the general body of Tele-Trend's subscribers shall constitute a general ratemaking proceeding and will be treated in

accordance with the notice and hearing provisions of S.C. Code Ann. §58-9-540 (Supp. 1992).

4. Tele-Trend shall file its tariff and an accompanying price list within thirty (30) days of the date of this Order. Further, the tariff shall be filed with the Commission in a loose-leaf binder.

5. Tele-Trend is subject to access charges pursuant to Commission Order No. 86-584, in which the Commission determined that for access purposes resellers should be treated similarly to facilities-based interexchange carriers.

6. With regard to Tele-Trend's resale of service, an end user should be able to access another interexchange carrier or operator service provider if they so desire.

7. Tele-Trend shall resell the services of only those interexchange carriers or LECs authorized to do business in South Carolina by this Commission. If Tele-Trend changes underlying carriers, it shall notify the Commission in writing.

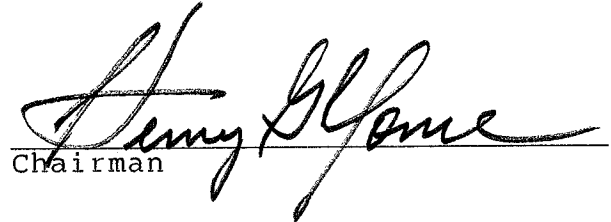
8. Tele-Trend shall comply with the terms of Order No. 93-462, Order Approving Stipulation and Agreement, in Docket Nos. 92-182-C, 92-183-C, and 92-200-C (June 3, 1993).

9. Tele-Trend shall file surveillance reports on a calendar or fiscal year basis with the Commission as required by Order No. 88-178 in Docket No. 87-483-C. The proper form for these reports is indicated on Attachment A.

10. Tele-Trend shall file quarterly financial statements with the Commission.

11. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Deputy Executive Director
(SEAL)

ANNUAL INFORMATION ON SOUTH CAROLINA OPERATIONS
FOR INTEREXCHANGE COMPANIES AND AOS'S

- (1) SOUTH CAROLINA OPERATING REVENUES FOR THE 12 MONTHS ENDING
DECEMBER 31 OR FISCAL YEAR ENDING _____.
- (2) SOUTH CAROLINA OPERATING EXPENSES FOR THE 12 MONTHS ENDING
DECEMBER 31 OR FISCAL YEAR ENDING _____.
- (3) RATE BASE INVESTMENT IN SOUTH CAROLINA OPERATIONS* FOR 12
MONTHS ENDING DECEMBER 31 OR FISCAL YEAR ENDING _____.

*THIS WOULD INCLUDE GROSS PLANT, ACCUMULATED DEPRECIATION,
MATERIALS AND SUPPLIES, CASH WORKING CAPITAL, CONSTRUCTION
WORK IN PROGRESS, ACCUMULATED DEFERRED INCOME TAX,
CONTRIBUTIONS IN AID OF CONSTRUCTION AND CUSTOMER DEPOSITS.

- (4) PARENT'S CAPITAL STRUCTURE* AT DECEMBER 31 OR FISCAL YEAR
ENDING _____.

*THIS WOULD INCLUDE ALL LONG TERM DEBT (NOT THE CURRENT
PORTION PAYABLE), PREFERRED STOCK AND COMMON EQUITY.

- (5) PARENT'S EMBEDDED COST PERCENTAGE (%) FOR LONG TERM DEBT AND
EMBEDDED COST PERCENTAGE (%) FOR PREFERRED STOCK AT YEAR
ENDING DECEMBER 31 OR FISCAL YEAR ENDING _____.

- (6) ALL DETAILS ON THE ALLOCATION METHOD USED TO DETERMINE THE
AMOUNT OF EXPENSES ALLOCATED TO SOUTH CAROLINA OPERATIONS AS
WELL AS METHOD OF ALLOCATION OF COMPANY'S RATE BASE INVESTMENT
(SEE #3 ABOVE).